

REMARKS

Claims 1, 3-48, 52-54 and 56-63 are pending in this application. By this Amendment, claims 1, 6, 8, 9, 12, 16, 17, 19-21, 24-26, 29, 31, 33, 38-40, 42, 43, 46-48, and 52-53 are amended for formatting, to correct typographical errors and to delete the word "arbitrarily". Claim 38 is amended to correct typographical errors by inserting the term "amino group" and by amending the phrase "C₁₋₆ cycloalkyl" to be "C₃₋₈ cycloalkyl", as recited in and supported by claim 38 of the PCT Application (PCT/JP2005/006004) as filed. Claim 54 has been amended to recite a method embodiment, and finds support in original claim 54 and in the specification as filed at page 1. Claims 56-63 are added, and find support in the specification as filed at pages 2-8, and in claim 1 as filed. Claims 49-51 and 55 are canceled. No new matter has been added by this Amendment.

I. Amendments To The Specification

Specification pages 360-364 have been amended to correct typographical and clerical errors resulting in incorrect chemical formula and chemical drawing listings. Support for the amendments can be found, for example, in Synthesis Examples 59 and 61 of the specification as filed, and in Synthesis Example 59, at page 360 of the PCT Application as filed, and in the PCT Application as filed, generally.

II. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1, 3-48 and 52-55 under 35 U.S.C. §112, second paragraph, as allegedly being confusing and indefinite. Applicants respectfully traverse this rejection.

Claim 55 has been canceled. The rejection of claim 55 is therefore moot.

Without acceding to the propriety of the rejection, Applicants have re-formatted the claims to use spacing, indentation and line breaks rather than parentheses to separate sections

and phrases, and have deleted the term "arbitrarily". Applicants respectfully submit that the claims are clear and meet the requirements of 35 U.S.C. §112, second paragraph.

Withdrawal of the rejection is respectfully requested.

III. Objection To The Claims

The Patent Office objects to claims 1, 3-48 and 52-55 for containing non-elected subject matter. Applicants respectfully traverse this objection.

Claim 55 has been canceled. The objection to claim 55 is therefore moot.

Without acceding to the propriety of the objection, Applicants have amended the claims to delete the recitation of embodiments wherein A is a 5-member ring. As such, Applicants respectfully submit that claims 1, 3-48 and 52-54 are in a condition for Allowance.

Withdrawal of the objection is respectfully requested.

IV. New Claims 56-63

New claims 56-63 recite specific embodiments of a benzopyran derivative or pharmaceutically acceptable salt thereof. Applicants respectfully submit that claims 56-63 are in condition for allowance.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-48, 52-54 and 56-63 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: June 30, 2009

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